



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೪ಎ Part - IVA	ಬೆಂಗಳೂರು, ಸೋಮವಾರ, ೨೮, ಮಾರ್ಚ್, ೨೦೨೨ (ಚೈತ್ರ, ೦೭, ಶಕವರ್ಷ, ೧೯೪೪) BENGALURU, MONDAY, 28, MARCH, 2022 (CHAITHRA, 07, SHAKAVARSHA, 1944)	ನಂ. ೧೯೩ No. 193
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GOVERNMENT OF KARNATAKA

No: RD 04 AQB 2020

Karnataka Government Secretariat
M.S. Building,
Bengaluru, Dated:28.03.2022

NOTIFICATION

The draft of the following rules to amend the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Karnataka) Rules, 2015, which the Government of Karnataka proposes to make in exercise of the powers conferred by sections 23A, 30A, 31A and 112 of the Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) is hereby published as required by section 112 of the said Act for information of all the persons likely to be affected thereby within fifteen days from the date of its publication in the Official Gazette.

Whereas, the said Gazette was made available to the public on 22nd October 2021,

And Whereas, objections and suggestions received in this behalf within the periods specified above have not received any of the objections or suggestions to the State Government.

Now, therefore, in exercise of the powers conferred by Section 112 of the Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013), the Government of Karnataka hereby makes the following rules:-

RULES

1. Title and commencement.-(1) These rules may be called the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Karnataka) (Amendment) Rules, 2020.

(2) They shall come into force from the date of their final publication in the Official Gazette.

2. Amendment of rule 2.- In the Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement (Karnataka) Rules, 2015 (hereinafter referred to as the said rules) in rule 2,-

(i) after clause (b), the following shall be inserted, namely:-

"(b-1) 'Authorized Officer' means an Officer authorized by the State Government through a notification."

(ii) after clause (d), the following shall be inserted, namely:-

"(d-1) 'Lump sum Amount' means an amount paid for Rehabilitation and Resettlement under section 31-A,"

3. Insertion of new rule 15-A.- After rule 15 of the said rules, the following shall be inserted, namely:-

"15-A. Exemption.- The provisions of chapter-II regarding social impact assessment study shall not be applicable to the projects notified under section 10-A."

4. Insertion of new rule 19-A.- After rule 19 of the said rules, the following shall be inserted, namely:-

"19-A. Exemption.- The provision of chapter-III regarding consent shall not be applicable to the projects notified under section 10-A for Government and Public Private Partnership Projects."

5. Insertion of new rule 20-A.- After rule 20 of the said rules, the following shall be inserted, namely:-

"20-A. Notification for exempted projects.- (1) In respect of exempted projects under section 10-A, information shall be submitted in written form along with the total extent to the State Government by the Land Requiring Body /Department/Institutions either directly or through Deputy Commissioner or through the authorized officer.

(2) After issue of a notification under section 10-A, the Deputy Commissioner where land is required identify such area and shall publish preliminary notification in Form-V under sub-section (1) of section 11 of the Act.

(3) The Gazette copy of preliminary notification under sub-section (1) of section 11 shall be affixed in the notice board of the Grama Panchayat, Local Government office and Village Accountant office.

(4) After publication of preliminary notification in official Gazette under sub-section (1) of section 11 of the Act, the Preliminary survey of land under section 12 of the Act shall be completed within 120 days. The preliminary survey of land shall be as specified in Form-VI.

(5) The following officers and officials shall carryout the preliminary survey of land to prepare the Joint Measurement Chart namely:-

- (i) The Special Land Acquisition Officer or Land Acquisition Officer or his representative not below the rank of Group-B officer;
- (ii) The representative of requiring body;
- (iii) The concerned Taluka Tahasildar or his representative not below the rank of Shirastedar;
- (iv) The concerned Assistant Director of Land Records;
- (v) The concerned Revenue Inspector;
- (vi) The concerned Surveyor;
- (vii) The concerned Village Accountant; and
- (viii) The concerned officers / officials of Horticulture, Forest and Public Works Department of the taluk if necessary.

6. Amendment of rule 28.- In rule 28 of the said rules, in sub-rule (1), after the proviso, the following proviso shall be inserted, namely:-

"Provided further that, in case of acquisition of land for projects which are notified under section 10-A, after considering objections under sub-section (2) of section 15, and confirm 100% deposit of estimated land acquisition cost by requiring body, then the Government shall publish a notification in the official Gazette under sub-section (1) of section 19 in Form-VII. The Gazette copy shall be affixed on the notice board of Grama Panchayath / Local Government office and Village Accountant office."

7. Insertion of new rule 29-A and 29-B- After rule 29 of the said rules, the following shall be inserted, namely:-

"29-A. Award under section 23 and 23-A.-(1) The matters to be included in the award of the Deputy commissioner shall be as specified in Form VIII.

(2) The consent award under section 23-A shall not be less than 5% or not more than 10% of the compensation which are calculated under sections 26, 27, 28, 29 and 30.

(3) In addition to the market value of the land provided under section 26 award an amount calculated at the rate of 12% per annum on such market value for the period commencing on and from the date of publication preliminary notification under section 11 till the date of consent award made by concerned officer or date of possession of land whichever is earlier.

(4) While making an award under section 23 and 23-A a lump sum amount shall be added in lieu of the provisions of Rehabilitation and Resettlement opportunities mentioned in Chapter II and III of the Principal Act.

Provided that, lump sum amount given in lieu of the provisions of Rehabilitation and Resettlement opportunities shall be minimum rupees fifty thousand or affected family (Joint / Nuclear family) holding the land in which percentage of land acquired such market value of the land specified under section 26, in whichever is highest but not exceeding rupees five lakhs.

Illustration: Market value of the land per acre calculated under section 26,-

If the land value is rupees three lakhs per acre in agriculture land or rupees five hundred per square feet in non agriculture land, the lump sum amount shall be:-

Sl. No	Total holding of land by affected family	Land has be acquired from the affected family	Percentage of land acquired	Market value of the acquired land under section-26 (in rupees)	Lump sum amount awarded instead of Rehabilitation and Resettlement (Sl. No. 4 Percentage of amount as per Sl.No.5) (in rupees)	Remarks
1	2	3	4	5	6	7
1	01 Acre	20 Gunta	50%	1.5 Lakhs	75 Thousand	
2	10 Acre	2 Acre	20%	6 Lakhs	1.20 Lakhs	
3	10 Acre	6 Acre	60%	18 Lakhs	10.8 Lakhs (Maximum limit of 5 lakhs to be fixed)	
4	10 Acre	4 Acre	40%	12 Lakhs	4.8 Lakhs	
5	20 Gunta	10 Gunta	50%	1.5 Lakhs	75 Thousand	
6	10 Gunta	5 Gunta	50%	37,500	18.5 Thousand (Minimum limit of fifty thousand to be fixed)	
7	5 Gunta	4 Gunta	80%	30,000	24,000 (But Minimum fifty thousand shall be fixed)	
8	2000Sq	500Sq Mtr	25%	2.5Lakhs	75,000	
9	1000Sq	800Sq Mtr	80%	4.00 Lakhs	3.2 Lakhs	
10	100Sq Mtr	100Sq Mtr	100%	50,000	50,000	

(5) In General and Consent award land value, trees, structures shall be calculated and applicable from date of preliminary notification.

(6) Any awarded person under section 23-A is not eligible to file application under sub-section (1) of section 64 and sub-section (1) of section-73. If an application is so filed, it shall be rejected.

(7) The Deputy Commissioner or Authorized officer shall declare the consent award under section 23-A with previous approval of the State Government:

(8) If the amount of General award compensation including lump sum amount, to be paid is less than rupees two crore, then the Deputy Commissioner shall declare the award.

(9) If the amount of General award compensation including lump sum amount, to be paid is more than two crores or less than rupees five crores, then

the Deputy Commissioner shall declare the award with the previous approval of the concerned Regional Commissioner.

(10) If the amount of General award compensation including lump sum amount, to be paid is more than five crores then the Deputy Commissioner shall declare the award with the previous approval of the State Government.

(11) Application pertaining to general award under sub-section (1) of section 73 shall be disposed as early as possible and such application shall be disposed within sixty days from the date of filing of application.

29-B. Voluntary Acquisition of land.-(1) Whenever the State Government intends to acquire land for a public purpose, the State Government or authorized officer shall enter in to a sale agreement with the land owner under sub-section (1) of section 30-A as specified in Form-IX.

(2) The State Government or the authorized officer may issue orders as under sub-rule (1) and same shall be notified in the official Gazette.

(3) In voluntary acquisition other than land owner if any member of family is affected then instead of Rehabilitation and Resettlement a compensation amount equal to or not less than the lump sum amount shall be awarded.”

8. Amendment of rule 34.- In rule 34 of the said rules, after sub-rule (3), the following shall be inserted, namely:-

“Provided that, the provisions of rules 21, 22, 23, 24, 25, 26 and 27 and rules 30, 31, 32, 33 and 34 shall not apply while implementing the Government projects and public private partnership projects which are in public interest notified under section 10-A”

9. Amendment of rule 37.- In rule 37 of the said rules,-

(i) for the words “the land acquired for public purpose under the Act and the majority of such acquired land remains unutilized for a period of more than five years” the words “term allocated for the implementation of any project or five years whichever is later” shall be substituted; and

(ii) for the first proviso, the following shall be substituted, namely:-

“Provided that, if any stay order is issued by the court while implementing any project, then this period is deducted from the term allocated for implementing the project or five years whichever is later.”

By order and in the name
of Governor of Karnataka

(Srinivas A.)
Under Secretary to Government.(I),
Revenue Department(LAQ-1&3)

Form-V
[see sub-rule (2) of rule 20-A]

Notification under sub section (1) of section 11 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013

No:

Date:

The Government considers that the acquisition of lands of ----- village of ----- Taluk of -----
-- district for ----- projects having public purpose mentioned in the following schedule. For this project, the
Government Notification No.----- dated: ----- has issued by giving exemption under the provisions of
Chapter – II and III and section 10-A of the Act, this Notification has been published in the Official Gazette on -----

Therefore, it is hereby informed that ----- has been empowered to exercise the power conferred under
section 12 of the Act.

It is alerted that during the acquisition of the said lands no one shall pose hurdles to the surveyor or those who
are into this work appointed by the Government. It has been restricted under sub-section (1) of section 11 to sale,
mortgage, occupied, exchange or take up any developmental works further in the land to be acquired in the said land
acquisition process on agreement. It is hereby informed that if any such action or any other kind of developmental
works are undertaken, such actions will not be taken into consideration while making an award and finally land
acquisition process will be taken up under the provisions of the Act.

If the individuals having interest as per sub section (1) of section 15 of the Act, have any objections, they shall submit their objections to this office within sixty days from the date of publication of this notification in the official Gazette. The objection received after sixty days shall be disposed without giving notice.

A sketch of the land to be subjected for land acquisition process in the said case has been placed in the office of -
----- for perusal.

(**Note:** Since this project comes under the purview of section 40 of the Act and the land is required urgently it has been decided to acquire the lands as per Government Order No: ----- dated: -----)

Schedule**District:****Taluk:****Hobli:****Village:**

Sl. No.	Khatedar/ Name (as per Pahani)		Sy/ Khata Number	Survey/total extent in Khata number (as per Pahani /uthara)		Total Extent to be acquired		Type	Chekkubandi /Boundary				Remarks
	Name of the land owner/land holder	Name of the occupant		Agric ultural/Non Agric ultural	Kharabu	Agricultu ral/Non Agricultu ral	Kharabu		E	W	N	S	
1	2	3	4	5	6	7	8	9	10	11	12	13	18
Total													

Seal and Signature,
Deputy Commissioner.

* If required

Form-VI
(see sub-rule (4) of rule 20-A)

Preliminary survey of land

District:

Taluk:

Hobli:

Village:

Sl.No.	Name of Khatedar		Extent covered under land acquisition as per section 11(1)					Extent covered under land acquisition as per preliminary survey					Extent covered under land acquisition as per Section 19(1)					A d d i t i o n a l	Less	Chekkubandi /Boundary				Details of 'Tree/ Malki				Remarks
			Survey /Kh ata Nu mb er	His sa Nu mb er	Total extent in Survey/Khata		Ty pe	Survey /Kh ata Nu mb er	His sa Nu mb er	Total extent in Survey/Kh ata		Ty pe	Survey/Khata Number	Hissa Number	Total extent in Survey /Khata		Ty pe			E	W	N	S	Type of Trees	Number of Trees	Details of Malki /buildings	Number /Extent of Malki/building	
					Agricultural /non-agricultural	Kharabu				Agricultural /non-agricultural	Kharabu				Agricultural /non-agricultural	Kharabu												
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
Total																												

Form -VII
(see sub-rule (1) of rule 28)

**Notification for declaration under sub-section (1) of section 19 of the Right to Fair Compensation and
Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013**

No:

Date:

Since the Government found the necessity of acquiring the lands of ----- village of ----- Taluk of ----- district for ----- projects having public intention mentioned in the following schedule, the Government Notification No.----- dated: ----- has been issued by giving exemption for this project as under the provisions of Chapter II and III and section 10-A of the Act. This Notification has been published in the Official Gazette on -----based on which, it was published by notifying in Sl. No.----- dated: ----- under sub-section (1) of section 11 of the Act. It has been directed to continue the land acquisition process accepting vide Government letter No.----- dated:----- since no objections are received as under sub-section (1) of section 15 of the Act, the enquiry report after hearing the objections received and conducting suitable enquiry.

Since the Government of Karnataka has got convinced that there is a necessity of acquiring lands proposed under sub-section (1) of section 19 of the Act, it is hereby declared as per sub-section (1) of section 19 of the Act that the lands are needed for the purpose mentioned above.

Accordingly, ----- is hereby appointed as per clause (g) of section 3 of the Act for exercising the functions of Deputy Commissioner with regard to all further legal actions and processes related to the acquisition of the said lands.

Since under the provisions of Chapter II and III of the Act shall be applicable for the said project as per Government Notification No: ----- dated: ----- and exemption has been given, it has been decided to fix under the rule 29-A the lump sum amount to be given in lieu of the provisions under section 23-A and 31-A

In the backdrop of all the circumstances explained above, it has been ordered to take further action by serving public notice regarding the purpose of taking possession of the lands coming under land acquisition process to the beneficiaries concerned under sub-section (1) of section 21 and by intimating them to submit claims of compensation. A sketch showing the details of the land covered under the said notification has been placed in the office of ----- in public interests and to bring to the attention of all concerned beneficiaries.

Schedule

District:

Taluk:

Hobli:

Village:

Sl. No.	Name of Khatedar (As per preliminary survey of land)		Survey/Khata Number	Hissa Number	Total extent to be covered under land acquisition [As per section 11(1)]		Type	Total extent to be covered under land acquisition		Type	Chekkubandi /boundary				Details of Trees/Malkies				Remarks
	Name of the land owner/land holder	Name of the Occupier			Agricultural/non-agricultural	Kharabu		Agricultural/non-agricultural	Kharabu		E	W	N	S	Type of trees	Number of trees	Details of Malki/building	Number and Extent of Malki/buildings	
1	2	3	4		5	6		7	8	9	10	11	12	13	14	15	16	17	18
Total																			

Seal and Signature,
Authorized Officer.

*If there are any differences in the extension in column No.5, 6 with the column No.7, 8 it shall be mandatorily explained in column No.18.

Form -VIII
(Agreement and compensation)
(See sub-rule (1) of rule 29-A)
(Part-A)

On this date -----, the following agreement has been entered into between ----- hereinafter referred to as the “VENDOR” of the first part and the Government of Karnataka hereinafter referred to as the “Purchaser” of the second part.

The expression “Vendor” and “Purchaser” unless it is repugnant to the subject shall mean and include their respective legal heirs, legal representatives, assigns, successors, administrators, custodians etc, as and when the context so requires.

The Vendor, Sri/Smt ----- has an absolute possession of major portion of the land or entitled otherwise to appropriate and sufficient proportion of land with an extent of ----- in Sy. No.----- of ----- Village, ----- Taluk, -----District.

It is notified as given in the below table to acquire the major portion of the said land as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) and the Government has acquired the said land by issuing appropriate notice under the section 23-A of the Act read with rule 29-A of these rules.

If the compensation amount is fixed through an agreement entered into between the State Government and the person(s) claiming compensation, then such compensation shall be paid as per such agreement. The land owner has agreed to receive the compensation amount of Rs.----- which was fixed by the Authorized Officer and which was supposed to be paid to him as required by the said Act and rules made thereunder, the Government upon the request of the land owner, may recover any repayment dues or any amount payable to the Government out of the total compensation amount as land revenue dues.

Table**District:****Taluk:****Hobli:****Village:**

Sl. No.	Sy/Khatha No.	Total area in Sy /Khatha No. (as per pahnai/Uthara)		Total area to be acquired		Type	Checkbandi/ boundary				Remarks
	Agricultural/Non-Agricultural	Kharab		Agricultural/Non-Agricultural	Kharab		E	W	N	S	
1	2	3	4	5	6	7	8	9	10	11	12
Total											

I/we have whole heartedly agreed to receive the compensation amount for the acquired land as per the Award. I/we hereby undertake that no case shall be filed in any Court against the Government/Land seeking organisation/Department for claiming any additional Compensation amount or for any reason except the consent award made with regard to this land.

As witness, both parties have signed to this agreement on the above mentioned date.

Signatures of land -owner

1)-----

2)-----

Signatures of witnesses

1)-----

2)-----

By order of the
Competent Authority.

(Part-B)**Compensation Certificate**

This compensation certificate is got executed on this date -----, by Sri/Smt----- S/D/W of Sri/Smt ----- of ----- Village, ----- Taluk, ----- District who hereinafter referred to as an owner (this word, unless the context is otherwise or that contradicts the context otherwise, includes his concerned custodians, executives, administrators and persons alienated by him) in favour of the Governor of Karnataka (hereinafter referred to as the Government) (this word shall construed and include his successors of his office and the persons designated by him).

The fixed asset, for which details have been given in the following schedule. Which is hereinafter referred to as the 'said asset' have been acquired in the name of the owner as per the Act and the said owner has stated by submitting a representation to the Government that only he is entitled to all compensation amount paid to him in connection with the said property and no other person is entitled to claim such compensation or any part thereof and there is no dispute or no chances of arising dispute about his ownership or his interest in the acquired land.

And, the land acquisition officer-----, who acquires land for ----- project has given permission to the owner to write compensation certificate in his capacity as a land owner for receiving compensation amount as mentioned below.

In case, it is found henceforth, that the owner is not/certainly not entitled for the compensation payable for the property mentioned in the below schedule or it is found any other person is to be paid the compensation amount, he shall return the amount which was paid to him, fully or partially to the Government, as the case may be. In case any loss or damage or expenditure incurred to the Government due to any lapse or mistake in his claim of entitlement, compensation shall be given in any other manner without affecting any other compensation measures with regard to the encashment of any re-payment and/or compensation. If it comes to the notice of a Competent authority that any amount which is payable as re-

payment under compensation, has been paid or has been paid in excess, by the Government, may recover the said amount as land revenue dues.

In any capacity, if any dispute arises in the future from his own family members or any other person/persons about this land or about the apportionment of the compensation amount or if it is found that the compensation amount has been fixed more because of the paise in calculation or raise in any other Act or Legal Statutory Provisions for the time being in force, I vow that I return such compensation amount paid to me fully or partially thereof, as the case may be to the land acquisition officer and I settle all/any hurdles/disputes incidental thereto at my own expenses.

Schedule

Village: Hobli: Taluk: Survey No. Area Determined amount:

As witness, the land owner has hereby got executed this compensation certificate in the presence of the following witnesses, namely:-

Signatures of land owner

Signatures of witnesses

1)-----

1)-----

2)-----

2)-----

The aforesaid owner has signed and handed over this compensation certificate in the presence of and on behalf of the Governor of Karnataka.

(Sd)

Authorized Officer.

Form -IX
(see sub rule-(1) of rule 29-B)
(Agreement for Voluntary Acquisition)

On this date -----, the following agreement for voluntary acquisition has been entered into between a land owner (who hereinafter referred to as such person) (this word includes custodians, executives and administrators unless the context or meaning contradicts otherwise) as one party and ----- (Authorized Officer) who on behalf of the Governor of Karnataka (hereinafter referred to as the Government) as another party as provided under section 30-A of the Act.

The land-owner, Sri/Smt ----- has an absolute possession of major portion of the land or entitled otherwise to appropriate and sufficient proportion of land with an extent of ----- in Sy.No.----- of ----- Village, ----- Taluk, -----District.

The major portion of land as given in the below table, has been acquired voluntarily by the Government under section 30-A of the Act, for the purpose of acquiring land for ----- project as under the provisions of the Act under 23-A of the Act, if the compensation amount is fixed through the agreement entered into between the State Government and the person(s) claiming compensation, then such compensation shall be paid as per such agreement. The land owner has agreed to receive the compensation amount of Rs.----- which was fixed by the Authorized Officer and which was supposed to be paid to him as required by the Act and rules made there under and the Government upon the request of the land owner, may recover any repayment dues or any amount payable to the Government out of the total compensation amount as land revenue dues.

Table

District:

Taluk:

Hobli:

Village:

Sl. No.	Sy/Khatha No.	Total area in Sy /Khatha No. (as per pahnai/Uthara)		Total area to be acquired		Type	Checkbandi/ boundary				Remarks
	Agricultural/Non-Agricultural	Kharab		Agricultural/Non-Agricultural	Kharab		E	W	N	S	
1	2	3	4	5	6	7	8	9	10	11	12
Total											

I/we have whole heartedly agreed to receive the compensation amount for the acquired land as per the Award. This is the Statement got written by me/us that no case will be filed in any Court against the Government/Land seeking organisation/Department for Claiming any additional Compensation amount or for any reason except the award consent made with regard to this land.

As witness, both parties have signed to this agreement on the above mentioned date.

Signatures of land -owner

1)-----

2)-----

Signatures of witnesses

1)-----

2)-----

The aforesaid owner has signed and handed over in the presence of and on behalf of the Governor of Karnataka.

(Sd)

Authorized Officer.

By order and etc,...